

# EXHIBIT L

(Filed Under Seal; Highlighting in Original)

Haha seriously

Thanks for your help

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**From:** [REDACTED]  
**Date:** Wednesday, April 11, 2018 at 9:07 AM  
**To:** [REDACTED]  
**Subject:** Re: A/C Priv - Re: Questions about Find Friends access removed from competitors for article today

That came out just fine! Good job! He probably knows that technically this is almost impossible ☺ Facebook should at least offer a method for you exporting hashed version of that contact info that other apps could use to help you find your friends there without violating the privacy of those friends

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**From:** [REDACTED]  
**Date:** Wednesday, April 11, 2018 at 9:03 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED], RhahnAtTheOutCastAgencyCom  
<rhahn@theoutcastagency.com>, [REDACTED]  
**Subject:** Re: A/C Priv - Re: Questions about Find Friends access removed from competitors for article today

Here's where this netted out thus far – Josh pulled in yesterday's testimony:

**TechCrunch: Zuckerberg claims competition from “8 social apps”, but Facebook owns 3**  
By Josh Constine  
<https://techcrunch.com/2018/04/11/facebook-competition/>

Mark Zuckerberg's flimsy defense when congress asked about a lack of competition to Facebook has been to cite that the average American uses eight social apps. But that conveniently glosses over the fact that Facebook owns three of the top 10 U.S. iOS apps: #4 Instagram, #6 Messenger, and #8 Facebook according to App Annie. The top 3 apps are games. Facebook is building its Watch video hub to challenge #5 YouTube, and has relentlessly cloned Stories to beat #7 Snapchat. And Facebook also owns #19 WhatsApp. Zoom in to just “social networking apps”, and Facebook owns the entire top 3.

“The average American I think uses eight different communication and social apps. So there’s a lot of different choice and a lot of innovation and activity going on in this space” Zuckerberg said when asked about whether Facebook is a monopoly by Senator Graham during yesterday’s Senate hearing, and he’s trotted out that same talking point that was on his note sheet during today’s House testimony.

But Facebook has relentlessly sought to acquire or co-opt the features of its competitors. That’s why any valuable regulation will require congress to prioritize competition. That means either breaking up Facebook, Instagram, and WhatsApp; avoiding rules that are easy for Facebook to comply with but prohibitively expensive for potential rivals to manage; or ensuring data portability that allows users to choose where to take their content and personal information.

Breaking up Facebook, or at least preventing it from acquiring established social networks in the future, would be the most powerful way to promote competition in the space. Facebook’s multi-app structure creates economies of scale in data that allow it to share ad targeting and sales teams, backend engineering, and relevancy-sorting algorithms. That makes it tough for smaller competitors without as much money or data to provide the public with more choice.

Regulation done wrong could create a meat for Facebook, locking in its lead. Complex transparency laws might be just a paperwork speed bump for Facebook and its army of lawyers, but could be too onerous for upstart companies to follow. Meanwhile, data collection regulation could prevent competitors from ever building as large of a data war chest as Facebook has already generated.

Data portability gives users the option to choose the best social network for them, rather than being stuck where they already are. Facebook provides a Download Your Information tool for exporting your content. But photos come back compressed, and you don't get the contact info of friends unless they opt in. The list of friends' names you receive doesn't allow you to find them on other apps the way contact info would. Facebook should at least offer a method for you exporting hashed version of that contact info that other apps could use to help you find your friends there without violating the privacy of those friends. Meanwhile, Instagram entirely lacks a Download Your Information tool.

Congress should push Zuckerberg to explain what apps compete with Facebook as a core identity provider, an omni-purpose social graph, or cross-platform messaging app. Without choice, users are at the mercy of Facebook's policy and product examples. All of the congressional questions about data privacy and security don't mean much to the public if they have no viable alternative to Facebook. The fact that Facebook owns or clones the majority of the 8 social apps used by the average American is nothing for Zuckerberg to boast about.

**From:** [REDACTED]  
**Date:** Monday, April 9, 2018 at 9:10 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] Rebecca Hahn <rhahn@theoutcastagency.com>,  
**Subject:** Re: A/C Priv - Re: Questions about Find Friends access removed from competitors for article today

## Redacted

[REDACTED] | Legal | Facebook, Inc.  
[REDACTED]

**From:** [REDACTED]  
**Date:** Monday, April 9, 2018 at 11:56 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] RhahnAtTheOutCastAgencyCom  
<rhahn@theoutcastagency.com>  
**Subject:** Re: A/C Priv - Re: Questions about Find Friends access removed from competitors for article today

He can't figure this out on his own. He can ask developers but there isn't an independent way for him to find this out.

Sent from my iPhone  
On Apr 9, 2018, at 8:20 PM, [REDACTED] wrote:

Me again... Josh is pushing on the list of apps against which we enforce our policy. We can not comment – but my q is whether or not he will be able to figure out which ones we do this for? – is there any way this could happen, other than talking to the app developers?

To: [REDACTED]  
Cc: [REDACTED]

[REDACTED]  
Rebecca Hahn <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>, [REDACTED]

Subject: Re: A/C Priv - Re: Questions about Find Friends access removed from competitors for article today

**Redacted**

[REDACTED] Legal | Facebook, Inc.  
[REDACTED]

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From: [REDACTED]  
Date: Sunday, April 8, 2018 at 3:13 PM

To: [REDACTED]  
Cc: [REDACTED]

[REDACTED], RhahnAtTheOutCastAgencyCom <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>, [REDACTED]

Subject: Re: A/C Priv - Re: Questions about Find Friends access removed from competitors for article today

I can't confirm whether it was Snow or one of the many versions of Yellow that we added last as i am not close to my computer right now. Either way they are both (visual) messaging apps.

On Apr 8, 2018, at 4:56 PM, [REDACTED] wrote:

+ [REDACTED]

**Redacted**

**Redacted**

| Legal | Facebook, Inc.

**From:** [REDACTED] [REDACTED]  
**Date:** Sunday, April 8, 2018 at 2:50 PM

Top

Cc: RhahnAtTheOutCastAgencyCom <rhahn@theoutcastagency.com>.

**Subject:** RE: A/C Priv - Re: Questions about Find Friends access removed from competitors for article today

The only thing I'd add on top of Panjak's message is that Javi and Justin have described the rationale for this policy as avoiding user confusion. Specifically, our principle is that all messaging apps and apps with a feed based interface are not allowed to use this API to avoid user confusion. To date, we have only applied the limitation to messaging apps and apps that have a feed based interface – and even there for administrative reasons we have only restricted apps with significant volumes of users and/or a high growth rate.

**From:** [REDACTED]  
**Sent:** Sunday, April 8, 2018 2:49 PM

To:

Cc: RhahnAtTheOutCastAgencyCom <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>

**Subject:** A/C Priv - Re: Questions about Find Friends access removed from competitors for article today

A/C Priv

Adding [REDACTED] and [REDACTED] for institutional knowledge on how we've previously externally messaged the policy Josh/TC asks about below:

*I'm working on a story to be published this evening about Facebook's history of removing Find Friends access from apps that replicate core functionality or don't share content back.*

WE WON'T COMMENT HERE

Does Facebook have a statement about why its policy states "You may not use Facebook Platform to promote, or to export user data to, a product or service that replicates a core Facebook product or service without our permission" (now listed as "Don't replicate core functionality that Facebook already provides." in the TOS)? How does Facebook respond to the criticism that if users want to share their friend list with another app and find their friends there, that Facebook blocking that is both anti-competitive and hurts users by reducing data portability? █ WHAT REASON AND/OR CRITERIA

SHOULD WE CITE FOR WHY/HOW WE APPLY THIS POLICY? Here's what Justin said in the TC article in 2013: "For a much smaller number of apps that are using Facebook to either replicate our functionality or bootstrap their growth in a way that creates little value for people on Facebook, such as not providing users an easy way to share back to Facebook, we've had policies against this that we are further clarifying today (see I.10)." █

█ – any thoughts here?

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From: █

Date: Sunday, April 8, 2018 at 2:28 PM

To: █

Cc: Rebecca Hahn <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>

Subject: Re: Questions about Find Friends access removed from competitors for article today

Redacted

█ should chime in if I left out any context.

█ | Legal | Facebook, Inc.

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From: █

Date: Sunday, April 8, 2018 at 2:16 PM

To: █

Cc: RhahnAtTheOutCastAgencyCom <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>

**Subject: Re: Questions about Find Friends access removed from competitors for article today**

Yes that's the easy q

The harder question is why we have this policy and what criteria we apply.

Redacted

**Redacted**

**From:** [REDACTED]

**Date:** Sunday, April 8, 2018 at 2:13 PM

To:

Cc: Rebecca Hahn <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>

**Subject:** Re: Questions about Find Friends access removed from competitors for article today

# Redacted

Get [Outlook for iOS](#)

**From:** [REDACTED]  
**Sent:** Sunday, April 8, 2018 2:07:32 PM

To: [REDACTED] **REDACTED**

Cc: RhahnAtTheOutCastAgencyCom

**Subject:** Re: Questions about Find Friends access removed from competitors for article today

+ 

**Redacted**

Redacted



**From:** [REDACTED]  
**Date:** Sunday, April 8, 2018 at 1:55 PM

**To:** [REDACTED]

**Cc:** RhahnAtTheOutCastAgencyCom <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>  
**Subject:** Re: Questions about Find Friends access removed from competitors for article today

Hello All,

We have historically restricted Messaging apps from having access to the users\_friends (including app friends). Pankaj/Alison have more authority to speak to this policy, but we have been keeping it broad enough to allow us to restrict apps that replicate core Facebook (most mostly Messenger functionality).

A few of the apps that have been in this list:

Twitter: 135811653099227, 2231777543  
iTunes Ping: 146879158663523  
Tweetdeck: 56212371378  
Telit: 358538967573629  
YouTube: 87741124305  
eBuddy: 2568656689, 127229817336080  
Voxer: 108717019189000  
TextPlus: 194671910604807  
XMS: 137409049650615  
MessageMe: 249820361808082  
QQChat: 344134215672609  
Band: 439691136064581  
Line: 106149969545611  
WeChat: 290293790992170  
Snow: 654085398029607  
Zalo: 198235073635027  
Tribe: 1743579545897830  
Yellow: 152071551534437, 478541172220486, 121523474607279, 163120830425401,  
214976725587824, 381126551909069, 189446171109854, 420523694704108, 392431224194952,  
353396508077924,

Also for completeness, a year or so ago, we had a debate about applying the same restrictions to apps like Musical.ly, Periscope, etc but we decided not to do so.

Best,

From: [REDACTED]  
Date: Sunday, April 8, 2018 at 3:50 PM  
To: [REDACTED]

Cc: RhahnAtTheOutCastAgencyCom <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>  
Subject: Re: Questions about Find Friends access removed from competitors for article today

+ [REDACTED] who has policy context

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From: [REDACTED]  
Date: Sunday, April 8, 2018 at 1:31 PM  
To: [REDACTED]

Cc: RhahnAtTheOutCastAgencyCom <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>  
Subject: Re: Questions about Find Friends access removed from competitors for article today

Hi all,

I'm looping in @ [REDACTED] and @ [REDACTED] who I believe have been closely involved with this policy.

@ [REDACTED] - [REDACTED] Redacted

Get [Outlook for iOS](#)

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From: [REDACTED]  
Sent: Sunday, April 8, 2018 1:12 PM  
Subject: Re: Questions about Find Friends access removed from competitors for article today  
To: [REDACTED]  
Cc: RhahnAtTheOutCastAgencyCom <[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>

+ [REDACTED] and [REDACTED]

**From:** [REDACTED]

**Date:** Sunday, April 8, 2018 at 12:01 PM

**To:** [REDACTED]

**Cc:** [REDACTED] RhahnAtTheOutCastAgencyCom

<[rhahn@theoutcastagency.com](mailto:rhahn@theoutcastagency.com)>

**Subject:** Fwd: Questions about Find Friends access removed from competitors for article today

Who's the right person to handle this?

Begin forwarded message:

**From:** Josh Constine <[joshc@techcrunch.com](mailto:joshc@techcrunch.com)>

**Date:** April 8, 2018 at 11:53:38 AM PDT

**To:** Elisabeth Diana <[elisabeth@fb.com](mailto:elisabeth@fb.com)>

**Subject: Questions about Find Friends access removed from competitors for article today**

Hello,

I'm working on a story to be published this evening about Facebook's history of removing Find Friends access from apps that replicate core functionality or don't share content back.

Can you provide a list of apps that have had this happen? I know of Twitter, Vine, Voxer, MessageMe, Wonder, Phhoto (cut off by Instagram), and Path (cut off for spamming uploaded phone contacts).

Does Facebook have a statement about why its policy states "You may not use Facebook Platform to promote, or to export user data to, a product or service that replicates a core Facebook product or service without our permission" (now listed as "Don't replicate core functionality that Facebook already provides." in the TOS)? How does Facebook respond to the criticism that if users want to share their friend list with another app and find their friends there, that Facebook blocking that is both anti-competitive and hurts users by reducing data portability?

What is Facebook's explanation for not allowing the Download Your Information export of friends' email addresses that are visible to a user on those friends' profiles?

Thanks,

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Josh Constine

Editor-At-Large, TechCrunch

[\(585\)750-5674](tel:(585)750-5674)

<http://www.twitter.com/JoshConstine>

[joshc@techcrunch.com](mailto:joshc@techcrunch.com)